

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERNEST ANDERSON,

Plaintiff,

-v-

No. 07 Civ. 7195 (LTS)(AJP)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

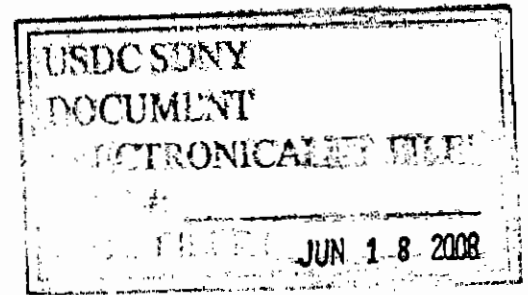
LAURA TAYLOR SWAIN, United States District Judge

ORDER ADOPTING REPORT & RECOMMENDATION

The Court has reviewed Magistrate Judge Peck's March 12, 2008, Report and Recommendation (the "Report") which recommends that Defendant's motion for judgment on the pleadings pursuant to Rule 12(c) of the Federal Rules of Civil Procedure should be granted. No objections to the Report have been received.

In reviewing a report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C.A. § 636(b)(1)(C) (West 1993). "In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Johnson v. New York University School of Education, No. 00 Civ. 8117, 2003 WL 21433443, *1 (S.D.N.Y. June 16, 2003).

The Court has reviewed carefully Magistrate Judge Peck's thorough Report and Recommendation and finds no clear error. The Court therefore adopts the Report in its entirety for the reasons stated therein. Accordingly, Defendant's motion for judgment on the pleadings is

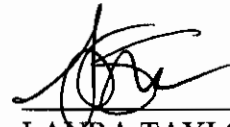


granted.

The Clerk of Court is respectfully requested to terminate Docket Entry No. 8, enter judgment in favor of Defendant, and close this case.

SO ORDERED.

Dated: New York, New York
June 18, 2008



LAURA TAYLOR SWAIN
United States District Judge